

### **REMARKS**

Applicant appreciates the consideration of the present application afforded by the Examiner. Claims 1-27 were pending prior to the Office Action and remain pending. Claims 1, 6, 7, 11, 12, 13, 16, 17, 21, 22, 23, and 27 are amended through this Reply. Claims 1, 6, 7, 12, 13, 16, 17, 22, 23, and 27 are independent.

The Office Action rejects claims 11 and 21 under 35 U.S.C. § 101 as allegedly directed to nonstatutory subject matter; rejects claims 6 and 16 under 35 U.S.C. § 103(a) as allegedly unpatentable over Takahashi (JP 1998-107737) in view of Ozawa et al. (JP 1997-224069); rejects claims 1, 4, 8, 12, 13, 17, 18, and 22-27 under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda et al. (US 2005/0083885); rejects claims 2, 3, and 14 under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda, and further in view of Krishnamurthy et al. (US 7,363,534); rejects claims 5 and 15 under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda, and further in view of Pettus et al. (US 5,515,508); rejects claim 7 under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda, and further in view of Elzer (US 2003/0169744) and Ichimi (US 6,865,687); rejects claim 9 under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda, and further in view of Salokannel et al. (US 2005/0014468); rejects claim 10 under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda, and further in view of Chen et al. (US 2003/0107651); and rejects claims 11 and 19-21 under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda, and further in view of Tada et al. (US 2004/0081436).

Applicant respectfully traverses these rejections. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

#### ***Interview Summary***

Applicant appreciates the time afforded by the Examiner and his supervisor in conducting the telephonic Interview on August 11, 2010. During the Interview, Applicant's representative asserted that Ozawa and Ikeda do not teach or suggest the aspects of the present invention whereby a single connection request is sent to a receiver for establishing connection between a number of contiguously adjacent layers. In response, the Examiner and his SPE both asserted that the current claim language is vague regarding the single connection request and that

a broad interpretation of Ozawa and Ikeda covers the features of claim 1. No formal agreement with respect to the claims was reached during the Interview.

***Rejection under 35 U.S.C. § 101***

Claims 11 and 21 stand rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. Claims 11 and 21 have been amended to address this rejection through this Reply. Applicant submits that the claims as amended are directed to statutory subject matter and respectfully requests that the § 101 rejection of claims 11 and 21 be withdrawn.

***Rejection under 35 U.S.C. § 103(a) – Ozawa and Ikeda***

Independent claim 1 stands rejected under § 103(a) as allegedly unpatentable over Ozawa in view of Ikeda. Applicant submits the Examiner has failed to establish a *prima facie* case of obviousness and traverses the rejection.

The Office Action relies on the Ozawa reference to allegedly show a single connection request for establishing a connection between the IrLMP and IrLAP layers of device 1 (see Fig. 1). The Examiner recognizes that Ozawa does not show “a command and data required for connecting a number of contiguously adjacent layers among the plurality of communication layers” (see Office Action, page 5). Ikeda is more particularly relied upon to teach that an IP address for IP handover processing can be generated simultaneously upon receipt of the L2 connection request. In other words, the Office Action appears to allege that Ikeda teaches command and data for establishing a connection between L2 and L3, based on the disclosure of paragraph [0080]. However, the command and data for a connection between L2 and L3 is not the same as the command and data of the claimed invention. Applicant respectfully disagrees that Ikeda’s disclosure cures the recognized deficiencies of Ozawa.

The above notwithstanding, in the interest of expeditious prosecution independent claim 1 has been amended to recite, *inter alia*, a transmitter comprising

connection request generating means for generating a single connection request containing a command and data required for connecting a number of contiguously adjacent layers among the plurality of communication layer

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the single connection request containing the command and the data required for connection with the receiver for each of the contiguously adjacent

layers except for communication layers which do not require transmission of the command and the data.

In other words, for connecting a number of contiguously adjacent layers, certain command and data is required for the connection to be established. The connection request generating means of the claimed invention generates a single connection request containing all of the required command and data for connecting the receiver to each of the adjacent layers. For example, connection parameters for upper layer(s) may be sent together with connection parameters for a data link layer within a single connection request such that all of the layers are connected in a single round of a connection procedure. Command and data regarding connection between layers which do not require command and data to establish connection is excepted from the single connection request, however. As discussed on page 67, lines 6-12 of the present specification, for example, the exchange of connection parameter(s) for LMP may not be required. In this manner, the claimed invention may efficiently establish connection of a plurality of communication layers by transmission of a single connection request containing the required command and data except for the layers which do not require transmission of the command and data. Applicant respectfully submits that neither Ozawa nor Ikeda teaches or discloses at least these features of claim 1, alone or in combination.

As neither Ozawa nor Ikeda, either alone or in combination, teach or suggest the aforementioned claim elements, Applicant respectfully submits that claim 1, as amended, as well as claims dependent thereon, are patentable over the references as cited. It is respectfully requested that the outstanding rejection be withdrawn.

Claims 7, 12, 13, 17, 22, 23, and 27 have been amended similarly to claim 1 and are likewise distinguishable from the applied prior art for at least the reasons as presented herein with respect to claim 1. Thus, claims 7, 12, 13, 17, 22, 23, and 27, as well as claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

Therefore, Applicant submits that said claims are patentable over the prior art and respectfully request that the rejection of said claims under § 103(a) be withdrawn.

***Rejection under 35 U.S.C. § 103(a) – Takahashi and Ozawa***

Independent claims 6 and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Takahashi in view of Ozawa. Applicant respectfully traverses.

The Examiner recognizes that Takahashi does not disclose that a plurality of communication layers are disconnected by a transmission of a single disconnection request (see Office Action, page 3). It is asserted that Ozawa cures this deficiency of Takahashi by allegedly showing a single disconnection request to disconnect each of the plurality layers of IrLMP and IrLAP (see Office Action, page 3 referring to Figure 3 of Ozawa). Applicant respectfully disagrees that Figure 3 of Ozawa can be reasonably interpreted to teach these features, as well as the features introduced into claim 6 by the present amendment.

Claim 1 has been amended to recite a transmitter comprising, *inter alia*,

disconnection request generating means for generating a single disconnection request containing a command and data required for disconnecting a number of contiguously adjacent layers among the plurality of communication layers; and

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the single disconnection request containing the command and the data which are required for disconnection from the receiver for each of the contiguously adjacent layers except for communication layers which do not require transmission of the command and the data.

In other words, the disconnection request generating means of the invention recited in claim 6 generates a single disconnection request containing all of the required command and data for disconnecting the receiver to each of the adjacent layers. Similar to the command and data discussed above with respect to the single connection request of claim 1, a single request contains the required command and data for disconnecting the contiguously adjacent layers except for communication layers which do not require transmission of the command and data. With respect to claim 1 above, the Examiner recognizes that Ozawa does not show “*a command and data required for connecting a number of contiguously adjacent layers among the plurality of communication layers*” (see Office Action, page 5). Applicant respectfully submits that Ozawa similarly fails to show “*a command and data required for disconnecting a number of contiguously adjacent layers among the plurality of communication layers*,” as recited in claim 6. Applicant respectfully submits that neither Takahashi nor Ozawa teaches or discloses at least these features of claim 6, alone or in combination.

As neither Takahashi nor Ikeda, either alone or in combination, teach or suggest the aforementioned claim elements, Applicant respectfully submits that claim 6, as amended, as well as claims dependent thereon, are patentable over the references as cited.

Claim 16 has been amended similarly to claim 6 and is likewise distinguishable from the applied prior art for at least the reasons as presented herein with respect to claim 1. Therefore, Applicant submits that claims 6 and 16 are patentable over the prior art and respectfully request that the rejection of said claims under § 103(a) be withdrawn.

**CONCLUSION**

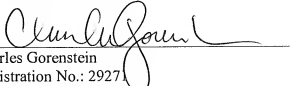
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders, Jr., Registration No. 60166 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

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